

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

MICHAEL JONES §
VS. § CIVIL ACTION NO. 5:06cv193
PAUL KASTNER §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Michael Jones, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the petition. The magistrate judge recommends the petition be dismissed without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings and all available evidence. No objections to

the Report and Recommendation of United States Magistrate Judge
were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of
the magistrate judge are correct and the report of the magistrate
judge is **ADOPTED**. A final judgment will be entered in this case
in accordance with the magistrate judge's recommendation.

SIGNED this 3rd day of December, 2008.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE